IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 10TH OCTOBER 2006 / 18TH ASWINA 1928

Bail Appl..No. 6050 of 2006

CRIME NO.242/2006 OF IDUKKI POLICE STATION

PETITIONER/ACCUSED:

JAMES @ EMMANUEL,
S/O.M.M.AUGUSTIAN, 47 YEARS,
MANNANCHERIL HOUSE, IDUKKI VILLAGE,
VAZHATHOPPE, IDUKKI COLONY P.O.,
IDUKKI DISTRICT.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: COMPLAINANT:

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1. STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
IDUKKI.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

B.A.No.6050 of 2006

Dated this the 10th October, 2006.

O R D E R

The petitioner is before this Court, under Section 438 Cr.P.C, as he apprehends arrest in crime No.242/2006 of Idukki Police Station, for the offence punishable under Sections 308 and 427 IPC.

2. When the application came up for consideration, on enquiry from the Court, the learned Public Prosecutor submitted that there are no injuries sustained on the body of the defacto complainant. However, on perusal of the C.D file, it is seen that the defacto complainant had purchased a new car and it was parked near to the taxi of the petitioner, who is the driver of that taxi. When the petitioner reversed his taxi car, it hit against the new car and caused damages. The defacto complainant claimed damages, which was very heavy. That was not paid by the petitioner, which resulted in the registration of the crime.

3. After hearing both sides and considering the materials that are placed before me, I direct the

petitioner to appear before the Investigating Officer on 16.10.2006, between 9.30 a.m and 10.00 a.m.

4. In the event of the arrest of the petitioner, he shall be released on bail, on he executing a bond for Rs.10,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Investigating Officer, arresting him.

5. The petitioner shall appear before the Investigating Officer, on every Monday, starting from 16.10.2006 between 10.00 a.m and 11.00 a.m., till 13.11.2006.

6. The Investigating Officer shall interrogate the petitioner and complete the investigation, before that period.

The application is disposed of as above.

J.M.JAMES, JUDGE

mrcs